

114TH CONGRESS  
2D SESSION

# S. 3088

To provide a deadline for compliance with an alternate safety compliance program and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 23, 2016

Mr. SULLIVAN (for himself, Ms. CANTWELL, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To provide a deadline for compliance with an alternate safety compliance program and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DEADLINE FOR COMPLIANCE WITH ALTER-**  
4                   **NATIVE SAFETY COMPLIANCE PROGRAM.**

5       Section 4503(d) of title 46, United States Code, is  
6       amended by striking paragraphs (1) and (2) and inserting  
7       the following:

8       “(1) After the later of January 1, 2020, or the end  
9       of the 3-year period beginning on the date the Secretary  
10      issues a final rule establishing an alternate safety compli-

1       ance program developed in cooperation with the commer-  
2       cial fishing industry for fishing vessels, fish processing  
3       vessels, or fish tender vessels to which section 4502(b) of  
4       this title applies, such a vessel shall comply with such pro-  
5       gram, if the vessel—

6               “(A) is at least 50 feet overall in length;

7               “(B) is built before July 1, 2012; and

8               “(C) is 25 years of age or older.

9       “(2) If, after such alternate safety compliance pro-  
10      gram is established, there are substantial changes to the  
11      requirements of the alternate safety compliance program,  
12      the Secretary shall provide at least three years for fishing  
13      vessels, fish processing vessels, or fish tender vessels to  
14      which section 4502(b) of this title applies to comply with  
15      such changes.”.

**16 SEC. 2. COORDINATION.**

17       Not later than 30 days after the date of the enact-  
18      ment of this Act, the Secretary of the department in which  
19      the Coast Guard is operating shall publish and dissemi-  
20      nate a Coast Guard policy to standardize coordination,  
21      outreach, and design of the alternate compliance program  
22      referred to in section 4503(d)(1) of title 46, United States  
23      Code, to ensure consistency between Coast Guard Dis-  
24      tricts.

1   **SEC. 3. PUBLIC ENGAGEMENT.**

2       Not later than 30 days after the date of the enact-  
3   ment of this Act, the Secretary of the department in which  
4   the Coast Guard is operating shall publish a public memo-  
5   randum for the fishing, shipbuilding, and maritime indus-  
6   try and the public including guidance, timelines, and op-  
7   portunities for public engagement.

8   **SEC. 4. REPORT TO CONGRESS.**

9       No later than June 1, 2018, the Secretary of the de-  
10  partment in which the Coast Guard is operating in coordi-  
11  nation with the head of the National Institute of Occupa-  
12  tional Health and Safety, shall submit a report to Con-  
13  gress on the progress of the design and implementation  
14   of the alternate compliance program referred to in section  
15   4503(d)(1) of title 46, United States Code, which shall  
16   include—

17                   (1) meeting summaries, including, the date, lo-  
18                   cation, industry represented and a summary of top-  
19                   ics, from—

20                   (A) a public forum, including fish expos,  
21                   conferences, and other appropriate venues;

22                   (B) meetings with fleet-specific industry  
23                   representatives;

24                   (C) meetings with fleet-specific industry  
25                   representatives where the design and implemen-

1 tation of fleet-specific annexes was discussed;

2 and

3 (D) outreach completed in by each District

4 Coordinator;

5 (2) all documents provided to the public, includ-

6 ing drafts of area plans and annexes;

7 (3) a prioritized list of the high-risk fisheries

8 being evaluated by the Coast Guard for additional

9 safety requirements;

10 (4) a list of all fleets where annexes are cur-

11 rently being designed, or may be designed, including

12 rationale for each fleet's inclusion in the list;

13 (5) a summary of outreach to naval architects

14 or other experts involved in the design of the pro-

15 gram;

16 (6) references for data and analyses being used

17 to determine safety criteria in both area plans as

18 well as annexes; and

19 (7) a summary of appropriations used to design

20 and implement the program, as well as appropria-

21 tions needed to complete the program under the

22 deadline prescribed.

